

Exhibit 1

July 9, 2024

Honorable William Young
United States District Court
Boston, MA

Dear Judge Young,

Thank you for the opportunity to express my sincere apology and regret for my actions in 2019. I accept full responsibility for my terrible decisions and choices. I am truly sorry for the pain and distress that I have caused Mr. and Mrs. Steiner.

My behavior was irresponsible and not consistent with how I have conducted myself over the past 5 decades. I grew up on a small farm in rural California and was raised by my parents who instilled in me their values. Honesty, respect, integrity, loyalty and Christian faith were my core beliefs growing up. Since I was a young boy, I always wanted to be a police officer; I studied, researched and planned for a career in law enforcement. In high school, I joined a Police Explorer program run by the local police department. I was dedicated to the police department's code of conduct. While other kids were partying and getting into trouble, like teenagers do, I was laser focused on being a law enforcement officer. I never even received a traffic ticket. I spent my time playing varsity sports and volunteering at the police department.

After graduating high school, I picked a college that had a major in law enforcement studies. While in college, I saved my money to pay for a reserve police officer academy. I attended the reserve police academy at nights and went to college during the day. I graduated the academy and became a volunteer reserve police officer. My life was dedicated to service and commitment to doing the right thing. After graduating college with a bachelor's degree in Criminal Justice Administration, I was hired as a full time police officer. I rose through the ranks of the department and eventually became the Patrol division commander supervising for over 100 police officers.

During my 27-year law enforcement career, I was dedicated to following the law enforcement code of ethics, my department's values statement, and Christian principals. I retired honorably, and I was very proud of my work that I had done at the department. In law enforcement the code of conduct is very clear: rules and procedures are very black and white.

When I joined the security team at eBay, I quickly learned that things are not as definitive in the corporate world. Slowly the lines between right and wrong were gray and rules didn't evenly apply to everyone. This was the beginning of my downfall. I accept full responsibility for my actions. Now looking back at my decisions and actions, I realize I was a follower and not a leader. I chose to follow the orders of other men instead of doing the right thing.

My involvement in this conspiracy is so out of character with how I have conducted myself through my entire life. I am so embarrassed and have such deep regret for my actions.

When I was notified of this criminal investigation, I told my wife everything I had done. The confusion and disappointment I saw in her eyes will haunt me for the rest of my life. My wife and I have been married for 25 years, and I have never seen her so hurt and demoralized. She used to brag to her friends about my successful career in law enforcement and my integrity. Now I had committed a stupid, hurtful criminal act that destroyed the good reputation I had built over a quarter century. I am so ashamed and embarrassed of my actions.

After the details of this case were released to the media and subsequently spread across social media, I had to explain to my three children what I had done. My children had looked up to me as a role model. I taught them to be honorable, honest, and law abiding, and to follow God's rules, yet I felt like such a hypocrite when I explained what I had done. My children have always been so proud of me. When I explained my actions, and role in this conspiracy, I could see the incredible hurt and disappointment in their faces. They were so confused and upset. They now are embarrassed of their father and this is something I will have to live with forever. I am so worried about my son, who is now a young teenager, that my behavior and poor example, will affect him. I am trying to rebuild the relationship with my son so he will grow up to be a good man.

In addition to apologizing to the Steiners, I would like to tell Natick police detectives that I am deeply sorry for lying to them. I was disrespectful and I wasted their valuable time. During my career, I became accustomed to criminal suspects lying to me. I just accepted it as part of the job. Now looking back at my behavior, I am so ashamed and embarrassed. Although I was not personally involved with sending the threatening deliveries to the Steiners, my actions contributed to the overall conspiracy. My terrible decisions also resulted in the end of almost all my personal friendships that I had with built with other law enforcement professionals, over the past couple of decades.

Shortly after this case became public, I was diagnosed with stage 3 colorectal cancer. The doctors informed me that I had a large malignant tumor and there was evidence the cancer had spread to my lymph nodes. The doctors explained I needed to have radiation treatment, chemotherapy and two surgical procedures.

I followed the doctors' recommended treatment plan that started with intense radiation treatment and chemotherapy. The treatment was torturous and horrible. The side effects were nausea, vomiting, diarrhea, radiation burns, open lesions, and nerve damage. I lost over 30 pounds and had to take numerous medications to try and minimize the side effects. After the first round of treatment, I had a second longer period of higher-dose chemotherapy. The two rounds of treatment lasted for

10 months. While lying on the treatment tables, I had a lot of time to reflect on my life and the decisions I have made. Facing a deadly disease and having to deal with the ramifications of my terrible decisions was life changing. My actions 4 years ago, are embarrassing and dishonorable. I disgraced my family and my previous profession. Now I was also facing the fact that I might die from this cancer and leave my wife with no husband and my children with no father. When you get a diagnosis that you have a fatal disease, it changes everything about how you look at life and what is important.

I made the conscious decision to follow the righteous path and that begins with repentance and acceptance of my sins. By reconnecting with my Christian faith through a local church and a commitment to daily study, I found the clear path for my life. That path calls for me to accept responsibility for my past actions and sins, apologize for what I have done, ask for forgiveness and dedicate my life to the following the teachings in the Bible. I would like the Steiners to know that I am very sorry and my sincere apology comes from a man who has been changed forever. I know I cannot go back and undo what I have done, but I can show my sincerity through my words and actions.

When I am not dealing with my medical condition, I spend my time trying to be the best man I can be to my family and community. My wife is a substitute elementary school teacher in our community and volunteers at church every week. I try to handle all of the shopping, cooking, cleaning, and carpools. I am an active parent leader for my son's soccer team and also help drive him to service events, such as, food sorting with his old Boy Scouts troop. I participate in all the community service events such as park renovations and neighborhood cleanup projects. During the COVID lockdown, my son and I built a tree house in our community so the neighborhood kids would have a place to play outdoors. I have volunteered at numerous church community events, and serve food during the Woman's ministry dinners. I am a registered and trained volunteer worker for the American Cancer Society. I volunteered over 100 hours at the American Cancer Society Discovery Center in San Jose, which raises money for cancer research and provides assistance to cancer patients who need transportation to treatment appointments.

Unfortunately, the radiation and chemotherapy treatments that I endured did not kill the cancer. In October of 2022, I learned the cancer had spread to my liver. I underwent additional rounds of chemotherapy and radiation treatments, but the tumor continued to grow. In January of 2024, I had surgery to remove the right lobe of my liver. Unfortunately, when the surgeon opened my abdomen, he found the cancer had spread to my diaphragm. After consulting with additional specialists, the doctors determined the cancer could not be removed and the surgery was aborted. With the cancer being inoperable and chemo/radiation ineffective, my doctors said they had done everything they could for me and referred me to an experimental clinical trial. This news has been devastating for my wife, two daughters, and teenage son. I am also trying my best to navigate how to give this news to my mom and sister.

This trial involves the use of experimental drugs that have very severe side effects. The hope is that these drugs can slow the growth of the cancer and prolong my life. I have had to accept that I may die in a few months. Even though my situation is dire, I am dedicated to using my remaining time to be being the best husband, father, Christian, and member of my community that I can be. This begins with me accepting full responsibility for my past actions and asking for forgiveness.

I am truly sorry for my horrible decisions and actions in 2019. I hope my apology and the acceptance of responsibility for my actions will bring healing and closure for Mr. and Mrs. Steiner.

Best regards,
Brian Gilbert

To the Honorable Judge William J. Young,

October 10, 2022

Thank you for giving me a chance to let you know the Brian that I have known since July 26 of 1996.

When Brian and I first met, I fell in love with his kindness, his humility and his faithfulness, not just to me, but also to his family and friends. When we dated, I didn't realize he was a prominent police officer, who was always on call, because of the way he treated me during our time together. I always like to tell the kids the story of how he was one of the only people I knew that would immediately put aside his pagers and flip phone (I had to explain to them what a flip phone was) and pay attention to me, or call his family. He did not pretend or act self-important; I fell in love with this purity and honesty. To me, it's the small things that are actually the big things.

Over the years, I found out how he had always wanted to be a police officer and how he wanted to help people. I loved the pictures his mom would show me of him in the local newspaper dressed as a cadet or an article recognizing his efforts to help his community. This was very important to me: Brian's small town upbringing, his honesty and the words of a proud, stay at home mom who raised a boy who had to help with animals and worked on the farm. I grew up where prestigious schools, the title after your name or how much money you made was what mattered. Brian taught me hard work, combined with big dreams, a loving family and maintaining relationships was what was actually most important.

Over the years, we navigated through his career and I took a break from my career, to be a stay at home mom. During those long nights and weeks where he was on call or just gone because of the job assignment, two things clearly come to my mind: 1. the complete respect and trust of his men and 2. his ability to stop, take a break and give me a day or two when he saw things were getting too much for me (with the kids) or that we were drifting apart.

The fact that he knew to put others first and sacrifice the right things to protect and nurture and do the right thing, at the right time, saved so many relationships. He knew when he needed to straighten out Ariana (older daughter) because of her disrespectful words toward me or let Sarehl (middle daughter) put on yet another facial mask on him or to teach Logan (son) how to rebuild a deck and throw a football.

One of the hardest times in our marriage was when Brian was picked to run the Levi stadium. It was very trying because he had to basically set up the protocols to operate an NFL stadium from the ground up. He was meticulous and constantly thinking of how to make sure things were safe for the people attending and his men. There were a lot of sleepless nights, for both of us. The thought, attention and love he gave his work and his men were remarkable.

When I would get upset and frustrated that so much time was being taken out of our family time or our personal time together, I would over hear conversations or phone calls from officers saying how much they loved and respected him. They

always expressed their gratitude for his time, patience and what he had done to help them further their career. It was completely unsolicited and at times they had this need to let me know what they thought of my husband. I also think, this confirmed and triggered Brian to take time off so that things would be okay between us too and make up time with the kids.

When Brian first started talking about retiring from the department, you could tell he was torn. We went through many months of discussing and evaluating retirement. We were excited for the new chapter of our lives, one that did not involve being on-call and long nights. I was especially excited to finally have him with a normal schedule.

About this time, Brian was getting recruited to work at eBay. All this attention and money was so new for us. Brian accepted the position with the agreement that this would be a “retirement job”, unfortunately this turned out not to be the case. This new job was far more demanding on his time and attention than police work had ever been. Everyday, something would happen and as time went by, we realized there were no rules or safe boundaries; everything was okay as long as the company was growing and generating proper numbers. Everyday was different, disorderly and confusing. There were constant emails/texts, missed family dinners, last minute business trips around the country, late night meetings and late night phone calls from his boss; the rules kept changing. This was not the retirement job that we had all agreed on and Brian was trying to figure out how to juggle and make sense of everything and to keep everyone happy as the pressure and tension was getting worse. This chaotic situation caused incredible stress upon our marriage. Brian was just not the same man he was as a police officer.

Since leaving eBay, Brian has returned to the man I married. He has dedicated his time to our family and our church. Brian has volunteered at many church events including women’s events and family festivals. Below is a picture of Brian and our children volunteering at our Church’s family Fall festival.



In addition to church events, Brian has been dedicated to volunteering time to our son’s Boy Scout troop.



As the pandemic worsened and church and Boy Scout events were cancelled, Brian looked for other ways to volunteer his services. He decided to build a tree house, in an open area in our neighborhood, so kids could get outside and enjoy nature. He taught our son basic construction techniques and they built a wonderful play area that numerous children enjoy everyday.



In September of 2020, Brian was diagnosed with stage 3 colorectal cancer. Brian has since gone through 5 weeks of aggressive chemotherapy and radiation treatment. This was followed by an additional 18 weeks of more intense

chemotherapy. The side effects of this treatment have been devastating. Following chemo, we had a few joyous months where we thought maybe the cancer was gone but it was not. In 2021 we had to tell the kids that their dad had cancer and that he had to have two surgeries; two very invasive surgeries including one with a colostomy bag and possibility that the surgery would not be successful. Brian and I did our best to guide the kids through the cancer and surgeries.

Brian had the first surgery and watching my husband lose intense weight and not be able to walk or move (the surgery involves cutting through his abdomen wall and diverting his intestines) was something that our family will never forget.

The second surgery was to reconnect his intestines and colon. Unfortunately, this resulted in medical complications. It was bittersweet because Brian started feeling a little better but not well enough to travel and he missed sending our daughter off to college. This medical situation has been made even more stressful with the loss of our health insurance.

Dealing with a life changing and possibly fatal medical condition has caused Brian to be even more remorseful for his past actions and more grateful to God for his life. Cancer has put another layer on our life. Brian is coping by trying to help others through becoming a volunteer for the American Cancer Society. He has taken our son to do maintenance and work at the Cancer Society Discovery Shop. This is also teaching our son to give back and to help our family get through everything. My son is at a pivotal teen age and his need for his father is what keeps me up at night.

I am not here to excuse Brian's behavior. He knows his actions were wrong and he has hurt the victims, his family, friends, and the people who respected him. God has punished him worse than anyone else can. It has been a devastating time for all of us and the shame, remorse and need to correct what he did wrong is very real. I don't think I can even put into words the look on his face when he looked at me and his children to tell us what happened.

All I can say, Judge Young, with 100% clarity, is that Brian had an inexplicable lapse in judgment. He has repented, accepted responsibility, confessed to authorities and has pled guilty to all charges. Brian has changed back to the man I fell in love with 26 years ago. He is a good person and will continue to be a great father, husband and productive member of society.

Please, Judge Young, don't let his terrible decisions in the summer of 2019 define who Brian has been for 54 years.

I, thank you for your time in reading my letter.

Sincerely,

Sepideh Gilbert

The Honorable William J. Young
United States District Court
District of Massachusetts

Dear Judge Young:

Thank you for this opportunity to communicate with you on behalf of my son, Brian Gilbert. Although Brian made a very grave error in judgment, which he is extremely remorseful for, I ask that you consider Brian's full lifetime of good deeds and upstanding character. Brian is an extraordinary man who has dedicated his life to serving, protecting and helping his community and family such as volunteering at his church, donating and delivering baskets of food to the less fortunate, coaching his children in soccer and flag football, and chaperoning his son's boy scout troop's outings. These are just a few of the self-less activities Brian is involved in. He is well respected and loved by his family, friends and community and none of us think less of him because of a poor, regretful decision that he will never make again. Brian has always led a constructive life and even as a teenager he spent his summers running a soccer camp for younger children and serving as a cadet for his local police department. Brian is kind and generous and I am particularly proud of him for when he made regular visits to sit and talk with a lonely, sick man who couldn't go out and never had any visitors. Brian would engage with him and listen to his life experiences which gave that man comfort and respect. Brian would tell me how seeing the man's suffering and loneliness impacted him and how grateful the man was that he was spending time with him. The company, compassion and empathy Brian gave that lonely man exemplifies Brian's true character.

Brian has a flawless twenty seven year career in law enforcement which includes being in charge of protecting President Bush on both of his trips to Santa Clara. He was also the officer in charge of all law enforcement operations for the Levi Stadium which included hosting the 50th Super Bowl.

And now, Brian is battling cancer. He has suffered terribly with chemo and radiation treatments, nerve damage, scarring, burns, a colostomy bag, two operations, an altered elimination system and severe pain. His normal life has been decimated by this ravaging disease and now the cancer has spread to his liver.

I ask for your mercy and compassion and implore you to not allow Brian's isolated indiscretion to overshadow his lifetime of good deeds and constructive behavior. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Amelia Gilbert". The ink is dark and the signature is fluid.

Amelia Gilbert

The Honorable William J Young
United States District Court
District of Massachusetts

I am writing to you as a sister of Brian Gilbert today, but more than that, I am writing in hopes of giving you an insight of this person who now stands before you. I have been a witness to Brian's character my entire life. Brian made a grave error in judgement with his actions, but I truly believe it is worth examining his life and the good he brings to others as well.

I would best describe Brian as a loyal friend, loving father and disciplined athlete. As my one and only, older brother, he always showed kindness and a protective love over me. I remember Brian as being a responsible person who always balanced sports, school and his pursuit of a criminal justice degree. Brian is a soft hearted, dependable, loyal and conscientious brother.

Growing up, I always looked up to Brian as a role model and he gladly always made time for me when I needed a friend to talk to and sound advice on decisions. As a teenager I was always in awe of my big brother. I remember one summer in particular, I was thrilled that he asked me to assist him in running a youth soccer camp. He took a chance on me and I saw first hand what an impact he had on the lives of others, even at a young age. Brian is a true gift to others.

Brian is a dedicated husband and father of three children. He volunteers his time to his son's Boy Scout Club and athletic teams. He spends countless hours with his oldest daughter and her soccer club. Currently he is supporting his youngest daughter to pursue her dream in cheer/dance competitions. Brian is truly the heart and soul of his family.

Even as an adult, Brian played soccer and gave back to his community, until his cancer diagnosis. I know without a doubt that the emotional stress from his personal torment of knowing his wrong doing has contributed to his physical illness of cancer. Brian is fighting a life long battle to regain his health.

Your honor, my brother, Brian Gilbert is truly remorseful for what he has done. I know his actions can not be taken back, however I truly believe incarcerating Brian would be of no use to society. He is a good man and will forever be sorry for his actions. He will always be paying a personal atonement for what he has done, but I hope you consider the pattern of good that he has shown in his life as well. As a sister, but even more as a witness to Brian's true character, I am asking that you please show mercy for my brother.

Respectfully,

Karen Dodd

To the Honorable William J. Young, United States District Court, District of Massachusetts,

I was hired at Santa Clara PD just before Brian Gilbert came on board, and we have been close friends for 30 years. While I am upset and disappointed about what Brian did at Ebay, I want you to know why he remains my friend.

What Brian did at Ebay is outside his norm. Brian rose to the rank of Captan in Law Enforcement. In his Government career Brian was sincere, level headed, and straight forward. His strongest assets were exactly what he did not demonstrate at Ebay: He had a strong moral compass, thought for himself, and protected the troops by shouldering outside pressures so we could focus on our jobs.

I don't know what happened at Ebay, but what he did in the private sector is not what his police department saw in the government sector.

The victims in this case don't deserve what happened to them. Brian has tarnished an outstanding reputation that took him 30 years to earn. There are no winners here....

Thank you for listening to me. Best of luck with your decision.

Sincerely,

Bryan Sterkel
Santa Clara PD (Retired)

Dear Judge Young,

My name is Daniel Kaleba and I am a former federal prosecutor from California.

In 2010 and 2011, I worked with Brian Gilbert on an important public corruption matter. An officer with the Santa Clara Police Department was suspected of taking bribes from a member of the Hells Angels motorcycle gang in exchange for confidential information.

Brian Gilbert was the lead investigator on behalf of Santa Clara PD. This was an important and sensitive case for the department and the community. It also had the potential to be deeply embarrassing for the department, but Brian and his colleagues at Santa Clara, including his co-defendant in these cases, Phil Cooke, recognized the need to refer the matter to the FBI and to support a federal grand jury investigation. In my judgment, this demonstrated high character and an accurate moral compass.

In my nearly 14 years of federal law enforcement service, I consider Brian's investigative skills among the finest I ever witnessed. I also believed through every step of the investigation and prosecution that Brian acted with honor expected of a police officer, with respect for the rule of law, and with decency to the rights of the accused.

I have not spoken with Brian for many years. His involvement in this criminal conduct caused sadness for me because this seemed like such a departure from the person I worked with 10 years ago. I am grateful that he accepted responsibility early in the process. I am sure he feels contrition towards the victims of this harassment campaign.

Through this letter, I hope to provide some additional information about Brian, about his important work with the Santa Clara Police Department, and my faith that despite this conduct I am still a believer in the character and decency of Brian Gilbert.

No doubt this is a terrible fall from grace for Brian and his family. I respectfully request this Court to sentence Brian proportionate to the suffering he caused, in consideration of the good and important work he has done in the past, and in the belief that notwithstanding this conviction and sentence, Brian still has the potential to influence the world in a positive way in the future.

Thank you,
Daniel Kaleba
Palo Alto, California

Honorable William G. Young

Judge, US District Court, District of Massachusetts

United States of America

April 13, 2021

Dear Honorable Judge Young –

My name is Darren Leininger, and I am honored to be writing this letter on behalf of my lifelong friend, Brian Gilbert. While I find it easy to write about the devoted son, doting dad, wonderful husband, and loyal friend, I find it extremely difficult to do so under these circumstances. The man that plead guilty in this case, the man I know and love like a brother, is not defined by a single lapse in judgement, but rather by a lifelong commitment to serve both those he loves and those he may have never met before.

I have known Brian for more than forty years! We met in the second grade when we volunteered to be “playground monitors.” Our job was to help maintain order during recess and ensure that all of the students followed the rules and were respectful to one another during breaks. Looking back, I realize now that Brian started his civic duty then, long before he committed himself to serving his community as a police officer.

Brian and I grew up a few blocks apart and we spent our youth with the other neighborhood boys building forts, riding bikes, and playing sports. As we grew into young adults, some of those friendships waned, but Brian’s endured. He was the first friend to visit me in the hospital after surgery and the first teammate to rush to my side when the pushing and shoving on the soccer field escalated beyond “part of the game.” Brian is the friend that volunteered to take care of our house while we were away on our family vacation and the friend that volunteered to drive me to and from school when I didn’t have a ride. He was always generous with his time and quick to assist when called upon to do so.

As we grew into adulthood, Brian was a role model and an inspiration. I was so proud to see him graduate from college and then the Police Academy. When he went to work for Santa Clara Police Department, I knew that he was living his dream, this was exactly where he wanted to be, he was serving his community and serving justice. Brian and I continued to stay close, and I celebrated every promotion, every personal achievement and important life event with him. We helped each other through the trials of life, and I watched him become the amazing man he is today.

When we married and started our families, I made sure to stay close and include Brian in my children’s lives, it was important for them to know this friend and his family. He treats my children like they are his own and they have grown to respect and love “Uncle Brian” as the amazing, loving man he is now.

Nothing has changed! Through it all, Brian has remained steadfast, and I am proud and blessed to call him my friend! The kind, selfless boy I met in second grade grew into the caring, generous father, husband, and friend that I know today. I understand that he made a lapse in judgment but one error amongst a lifelong commitment to serving others and championing justice does not define the man I know and love, nor does it change how I feel about him. I will call him my friend forever!

Sincerely,

A handwritten signature in cursive script that reads "Darren Leininger". The signature is written in black ink and is positioned above the printed name.

Darren Leininger

Matt Frisby



27th April 2021

Honorable William J. Young

United States District Court District of Massachusetts

In care of mkane@conmetkane.com

Honorable William J. Young,

I am writing this letter with regard to Brian Gilbert who is scheduled for sentencing in your court on or around May 26th, 2021. I am familiar with the charges and the fact that Brian has pled guilty and openly accepted his role in these very serious crimes.

I have known Brian for well over 20 years both as a law enforcement colleague and close family friend. During that time I have seen him raise a beautiful family, be a devoted husband and great friend to me and many, many others.

His involvement in these crimes was obviously surprising to me and what I would definitely describe as "out of character" and not in line with the man I have known for 20 plus years.

I think of numerous times that I reached out to Brian for assistance, expertise and/or participation in cases that I was working on that had no nexus to Santa Clara Police Department. Brian always answered the bell, would drop whatever he was doing from vacations, family events he never said no.


That is why from a personal and professional standpoint, it's hard for me to reconcile the person I know and have known for 20 years with the charges that now face him.

I know through discussion with Brian that this has been an incredibly humbling experience for him and one he deeply regrets and is fully prepared to be held accountable for. I would just ask that the court consider the totality of Brian's life actions, achievements in consideration with a just sentencing.

As mentioned above Brain is a devoted family man and has been a friend and mentor to myself and countless others over his lifetime. He has been a tireless community advocate through his work within the City of Santa Clara and although I thoroughly disagree with the decisions he made specific to these incidents, I know the great person that Brain Gilbert is at his core and how much he regrets and understands the magnitude of his actions.

Please consider this letter in support of a "just sentencing" outcome for all parties taking into consideration Brian's life work as a whole rather than a small snapshot of decisions made that are not in line with who is or who he will be moving forward.

Sincerely,

A handwritten signature in black ink, appearing to be 'MF' or similar, written in a cursive style.

Matt Frisby

(Retired Police Chief Town of Los Gatos)

The Honorable William J. Young
United States District Court
District of Massachusetts

March 23, 2021

Your Honor,

I am writing to you on behalf of my friend Brian Gilbert. I have known Brian since starting at the Santa Clara Police Department in 1998. I worked with him as an officer before he promoted to the rank of sergeant and then became my patrol supervisor in 2002. He was the team sergeant when I started on the SWAT team and helped to guide my first footsteps as I learned to be a tactical officer. He was one of my mentors from the very beginning.

I have read about what Brian was involved in with eBay and it makes me truly sad. This is not the Brian that showed me the right way to be a good police officer. I recently spoke to him and he was very remorseful about his involvement in those events. I can see he accepts responsibility for his actions and would give anything to turn back the clock.

I won't bore you with countless stories about Brian and what a great guy he is, but I did want to let you know one thing about him and his character. Years ago, we had an officer involved with the Hells Angels and he committed some crimes. This is terrible for any agency and it's especially difficult to "go after" one of your own. When confronted with this situation, our Chief didn't blink an eye before he assigned Brian to conduct the investigation. Brian did an exceptional job on this investigation and it resulted in our officer going to prison. I remember this investigation very well and I remember how angry Brian was at our officer for committing those crimes. This is the Brian I know. One terrible mistake does not define the man or take away from all of the great things he did for our citizens.

Please consider sentencing Brian to probation so he can be with his family. I have no doubt he has learned from his mistake and will never do this again. Thank you for your time.

Captain Greg Hill (retired)

Scott Fitzgerald



October 7, 2022

To: Honorable William J. Young
United States District Court, District of Massachusetts

Your Honor,

My name is Scott Fitzgerald, and I am writing to you on behalf of Brian Gilbert. Brian has been my best friend for 30 years. We met in the police academy in 1991 and immediately formed a lifelong connection. We not only shared a career, but we also shared some of the best moments you can have as true friends. Our children grew up together, our families grew close, and Brian was the “best man” in my wedding. There is no other person I would have wanted standing next me on such an important day.

Brian and I’s friendship grew out of mutual respect. I have always seen him as a person with great integrity and the utmost respect and pride for his career. In our time together at Santa Clara Police Department I witnessed Brian grow into a very well-respected leader. A leader that everyone looked up to and wanted to work with or be around. He led with honesty, integrity and a determined work ethic. Brian has always stood behind his decisions and stood by his family, friends and workmates.

Brian’s battle with cancer over the last 18 months has taxed he and his family’s resolve. Brian’s original diagnosis was very daunting especially with the medical data supporting the difficulties of surviving colon cancer. Even though Brian was very candid with me during this period about his stress and concern over his pending legal issues and his cancer diagnosis I can’t imagine the amount of anxiety this created for him and his family.

Throughout the cancer treatment process Brian and I spoke frequently about the perspective this experience has brought to his life. He absolutely regrets his decisions and actions during his employment at EBay. I can honestly say that this was truly out of character and I also believe that this was an error in judgment. I ask for leniency in any sentence given to Brian. He is a great person, father and the best friend anyone could have.

Thank you,
Scott Fitzgerald

To the Honorable William J Young
United States District Court
District of Massachusetts

Your Honor,

My name is Steve Henry. I retired as a Captain with the Santa Clara Police Department in 2008. I worked alongside Brian Gilbert for nearly 20 years. Brian served with distinction, earning the respect and admiration of his fellow officers.

When I first learned of Brian's involvement in the Ebay 'scandal,' I was crushed and dismayed. After working with such an incredibly ethical person as Brian, I found it incomprehensible that he could be involved in such behavior. Although I understand he was under incredible pressure at Ebay, nothing can justify what he did.

Nevertheless, I fervently believe that Brian's behavior was an anomaly and certainly not a fair representation of who he is. I should know, having mentored and befriended Brian for the past 30 years.

The Brian I know is a consummate professional. He tirelessly gave to our community and agency. He rose through the ranks through his intellect, sacrifice, and by way of his exemplary leadership. Brian's career spanned numerous special assignments and included many accolades.

Although one of the finest Investigator I've ever known, he truly distinguished himself in Special Operations. Brian courageously faced risks that surpassed what most police officers will ever experience, let alone be aware of. I know that many owe him their lives. He was intensely dedicated to his role as protector for the community and his fellow officers.

More importantly, Brian is more than a police officer. He is a loving, caring husband and father. He is an inherently good person who momentarily lost his way. Brian's remorse is real and intense. Sadly, he has forever tarnished his law enforcement legacy - maybe the greatest punishment of them all.

I have seen that this tragedy has created great growth in Brian. His genuine introspection and self-criticism has made him a better person. I can only hope that you can find it in your heart to show Brian leniency and sentence him to probation. He deserves his 'second chance' in life.

Respectfully,

Captain Steve Henry (ret.)



American Cancer Society
San Jose Discovery Shop

August 24, 2022

Dear Sir,

I am writing this letter to verify and confirm the community service undertaken by Mr. Brian Gilbert at our San Jose Discovery Shop. Mr. Gilbert has been volunteering since January 13, 2022. As of the date of this letter, he has completed 124 hours.

Mr. Gilbert has been an ideal volunteer. Some of the many tasks he has been doing include light carpentry, electrical, painting, troubleshooting equipment, general cleaning, and locksmithing. He has also been integral in organizing our tools and supplies as well as taking the lead on our Hazardous Materials Compliance.

The American Cancer Society Inc. is a 501c (3) nonprofit corporation. The American Cancer Society's mission is to save lives, celebrate lives, and lead the fight for a world without cancer.

I would be happy to provide any other information as needed. My email is Patricia.Chell@cancer.org. The Discovery Shop phone number is 408-265-5535.

Kind regards,

A handwritten signature in cursive script that reads "Patricia Chell".

Patricia Chell

San Jose Discovery Shop Manager